

STEPHANIE M. HINDS (CABN 154284)
Acting United States Attorney

HALLIE HOFFMAN (CABN 210020)
Chief, Criminal Division

NEAL C. HONG (ILBN 6309265)
Assistant United States Attorney

150 Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-5081
neal.hong@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO.: 5:21-mj-71736 MAG
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	STATUS CONFERENCE AND
v.)	EXTENDING TIME; ORDER
)	
FRANCISCO JAVIER JARAMILLO,)	
)	
Defendant.)	
)	

The parties respectfully request that the status conference currently scheduled for December 3, 2021 at 1:00 p.m. be continued to January 12, 2022 at 2:00 p.m. The Government is almost done processing discovery in this case and will produce it to the defendant once it is complete. Accordingly, the parties request additional time to give defense counsel the opportunity to review discovery for effective preparation.

The parties further stipulate and agree that the time between December 3, 2021 and January 12, 2022, should be excluded to allow for effective preparation of counsel, taking into account the exercise of due diligence, and that the ends of justice served by granting the request outweigh the best interests of the public and the defendant in a speedy trial. The parties further stipulate and agree that, given the need to investigate matters which may bear on the disposition in the case, good cause exists for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1(d),

1 and defense counsel accordingly consents on behalf of the defendant to extending the time limit for the
2 preliminary hearing. The parties further stipulate and agree to an extension of time for the 30-day time
3 period of an indictment under the Speedy Trial Act.

4
5 DATED: December 1, 2021

Respectfully submitted,

6
7 STEPHANIE M. HINDS
Acting United States Attorney

8
9 s/ Neal Hong
10 NEAL C. HONG
Assistant United States Attorney

11 s/ Dejan Gantar
12 DEJAN GANTAR
13 Attorney for Francisco Javier Jaramillo
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to the parties' stipulation, and for good cause shown, the Court HEREBY ORDERS that the status conference currently scheduled for December 3, 2021, be continued until January 12, 2022. For good cause shown, the Court further finds that failing to exclude the time between December 3, 2021, and January 12, 2022 would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and that the ends of justice served by excluding that time from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY FURTHER ORDERED that the time between December 3, 2021, and January 12, 2022 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

The Court further finds good cause exists for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

IT IS SO ORDERED.

DATED: December 1, 2021

